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10/05/2024
CENTRAL DISTRICT OF CALIFORNIA
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UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

DAVID STEBBINS,

PLAINTIFF

VS.

Case 8:24-cv-01486-JVS-KES

JARROD JONES

DEFENDANTS

MOTION TO COMPEL COOPERATION AND FOR SANCTIONS

Comes now, pro se Plaintiff David Stebbins, who hereby submits the following Motion to compel the defendant's compliance with the Cooperation Clause, as well as for sanctions for his refusal to cooperate in good faith with the investigation.

1. On July 30, 2024, I filed a Motion for Liquidated Damages. See Dkt. 79. The contents of that motion are hereby incorporated by reference.
2. On August 21, 2024, this Court denied that motion. See Dkt. 92. The objection to that order (Dkt. 93) is still pending. During this order, the Court ordered me not to file any more motions to attempt to enforce the Cooperation Clause of our settlement agreement for another 45 days. That meant that I was not eligible to file any motions to compel Jones' cooperation until October 5, 2024. It is now that date, so I am now moving to compel the defendant to provide cooperation.
3. Immediately after the Court entered its order in Dkt. 92, I submitted new requests for evidence to Jones, requesting (1) his past five 1040s; (2) all the correspondence he made with his bank and the IRS to obtain the non-records he previously sent me; (3) a complete profile on the other Jarrod Jones in Everett, WA, who is the one with the actual income between \$150-\$175k per year; (4) his complete employment history from the past twelve years; and (5) a response from WIS International regarding his employment status¹. See **Exhibit A**. I immediately followed up by requesting to see all of his Discord conversations. See **Exhibit B**.

¹ I contacted his alleged employer's HR Department to request that they verify his employment there. See Dkt. 88, Page 2, ¶ 8. I never heard back from them, and I believe their silence in this regard is a huge red flag on Jones' end.

4. He replied, giving *only* his employment history. Over the next two days, we went back and forth, and he utterly refused to provide me any additional information unless I explained to him why it was relevant to the Investigation Clause of our settlement agreement. See **Exhibit C**.

5. Put simply, he does not have a right to know why this evidence is relevant. In its previous order, the Court compared this investigation to civil discovery. Well, in discovery, a party does not have the right to object to a Rule 34 Request for Production (or any other discovery request, for that matter) simply on the grounds that they don't personally see the relevance of the discovery. They can object to a discovery request if they can definitively prove with 100% confidence that it is, in fact, completely irrelevant, but even then, he can't just declare the request irrelevant and leave it at that; he has to state the grounds for his objection with specificity. See Fed.R.Civ.P. 34(b)(2)(B) (as amended by the 2015 Amendments: "Rule 34(b)(2)(B) is amended to require that objections to Rule 34 requests be stated with specificity. This provision adopts the language of Rule 33(b)(4), eliminating any doubt that less specific objections might be suitable under Rule 34"). In my home state of Arkansas, our local rules further clarify that "It is not sufficient to state that the interrogatory or request is burdensome, improper, or not relevant. The ground or grounds for the objection must be stated with particularity." See https://www.are.uscourts.gov/sites/are/files/local_rules/33.1.pdf. Of course, those local rules aren't binding in this court, but it nonetheless shows how straightforward these rules are.

6. Evidentiary requests like the ones I made to Jones only have to meet a minimal amount of significance in order to be considered "relevant." "Evidence is relevant if (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action." See Fed.R.Evid. 401. My home state of Arkansas has a unique metaphor to put into perspective just how minimal this threshold is:

"Under this expansive definition, evidence need not conclusively prove the ultimate fact in issue, but only have any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence... To be relevant evidence it need only be a brick, not a wall." See Walker v. State of Arkansas, 783 SW 2d 44, 46 (1990)² (emphasis added; citations and quotations omitted).

2 https://scholar.google.com/scholar_case?case=13786370352728227242

7. The evidence that I requested on August 21, 2024 falls well within this expansive definition of “relevant.” The relevance of his 1040s is axiomatic. Seeing his correspondence with his bank and the IRS is relevant to proving the evidence he did send me wasn’t just made up. A profile of the other Jarrod Jones is relevant to prove that the Spokeo report that claimed he makes six figure income is actually inaccurate, and a response from his current employer is relevant to proving that his income from that job really is as small as he says it is.

8. These all squarely qualify as “bricks” in my investigation of his financial status. In fact, they probably constitute a lot more than just a single brick, but a single brick is all I need.

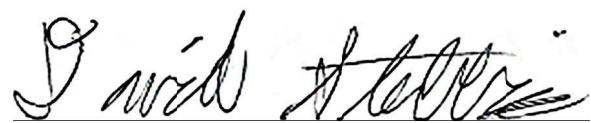
9. Therefore, Jones’ refusal to provide the requested evidence is absolutely in bad faith.

10. I therefore ask the Court to do two things:

11. First, I ask that the Court order Jones to provide full cooperation with my requests for proof, with a warning that further failure to provide the requested proof may result in the disputed fact (whether he has enough net worth to trigger liquidated damages) being assumed by default by the court, pursuant to FRCP 37(b)(2)(A)(i) or whatever equivalent to the settlement agreement that the Court may come up with.

12. . Second, I ask that the Court issue an appropriate sanction against Jones for failing to provide full cooperation in the first instance, like he was already contractually obligated to do. For this sanction, a \$1,000 fine, paid to me, would probably suffice.

So requested on this, the 5th day of October, 2024.



David Stebbins (pro se)

Exhibit A

Re: Requests for proof of net worth

From: Acerthorn (acerthorn@yahoo.com)
To: jarrod@stangranch.com
Date: Wednesday, August 21, 2024 at 01:56 PM CDT

I will be filing an objection to the magistrate judge's order, just like I did when she denied my motion for partial summary judgment. But in the meantime, I still want to see all the other evidence I've asked for, including but not limited to ...

- Your past five 1040s
- All the correspondence you made with your bank and the IRS to obtain the non-records you previously sent me
- A complete profile on the other Jarrod Jones in Everett, WA
- Your complete employment history from the past twelve years
- A response from WIS International regarding your employment status

On Sunday, August 18, 2024 at 07:06:57 PM CDT, jarrod stangranch.com <jarrod@stangranch.com> wrote:

The next email from me will be a batch of information.

Side conversations are over.

From: Acerthorn <acerthorn@yahoo.com>
Sent: Sunday, August 18, 2024 4:59 PM
To: jarrod stangranch.com <jarrod@stangranch.com>
Subject: Re: Requests for proof of net worth

- (1) Even if I'm wrong (which I doubt), there's a big difference between being wrong and lying.
- (2) If that's the only wrong statement you've found, I'd say I'm doing pretty good.
- (3) Then why do the tax whatevers you sent me say that you were filing single?

On Sunday, August 18, 2024 at 03:10:28 PM CDT, jarrod stangranch.com <jarrod@stangranch.com> wrote:

Caught your lies in your next filing.

I said that I made the mistake in filing for my tax status.

I said that I would have to contact my company to fix it.

Stop lying to the court, for the love of everything... please refer to what I emailed you.

From: jarrod stangranch.com <jarrod@stangranch.com>

Exhibit B

Re: Requests for proof of net worth

From: Acerthorn (acerthorn@yahoo.com)
To: jarrod@stangranch.com
Date: Wednesday, August 21, 2024 at 01:59 PM CDT

In addition, I also want to see a complete copy of all your DMs on Discord, as well as all all your contributions to the Creetosis discord server (including the Acerthorn Pinata Bashing thread). Here are some instructions on how you can obtain those for me in a file format that I can read: [How to Export Chat DM History on Discord](#)



On Sunday, August 18, 2024 at 07:06:57 PM CDT, jarrod stangranch.com <jarrod@stangranch.com> wrote:

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To: jarrod stangranch.com <jarrod@stangranch.com>
Subject: Re: Requests for proof of net worth

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Caught your lies in your next filing.

Exhibit C

Re: Requests for proof of net worth

From: Jarrod Jones (jarrod@stangranch.com)
To: acerthorn@yahoo.com
Date: Friday, August 23, 2024 at 02:19 PM CDT

I have answered that question.

On 8/23/2024 12:16 PM, Acerthorn wrote:

But you're refusing to comply with my existing ones?

On Friday, August 23, 2024 at 02:14:23 PM CDT, Jarrod Jones <jarrod@stangranch.com> wrote:

I am not refusing to comply to reasonable and good faith requests.

On 8/23/2024 12:12 PM, Acerthorn wrote:

So are you refusing to comply?

On Friday, August 23, 2024 at 01:48:27 PM CDT, Jarrod Jones <jarrod@stangranch.com> wrote:

Dear Mr. Stebbins,

Your recent requests appear to extend beyond the boundaries of the settlement agreement and the court's directives. I am obligated to prove my net worth as of July 25th, excluding the value of my car, but many of your demands seem to go far beyond what is necessary to fulfill that requirement. I will address your specific requests below:

Employment History: In good faith, I have already shared a summary of my employment history from the past ten years. However, you do not need detailed contact information for my previous employers, as I am concerned that your intention is to contact and harass them. They can confirm my employment dates without additional interference from you.

Current Employment: I have provided sufficient evidence to confirm my current employment status. The court does not require me to involve my current employer or have them respond to your inquiries. Your attempts to contact them appear to be a deliberate effort to disrupt my livelihood. I know that your objective is to create difficulties for me, which could impact my ability to meet the settlement terms.

Information on Other Individuals: I am not obligated to gather information on other individuals with similar names. The court has required me to prove my own net worth, not to investigate or provide details about others. I have already demonstrated that some sources, like Spokeo, contain inaccuracies, and I am not responsible for correcting or addressing those errors on behalf of others.

Correspondence with the IRS and Bank: I fail to see how my general correspondence with the IRS or my bank is relevant to proving my net worth. I have provided the necessary documents, including receipts from the IRS. The court requires reasonable proof of my net worth, not exhaustive and irrelevant documentation.

Despite your attempts to extend the scope of the settlement, I have made every effort to comply with what is required of me. However, it seems that your focus is not on determining my net worth but rather on collecting as much personal information as possible to disrupt my life and my ability to fulfill the agreed-upon payment terms.

I urge you to focus your requests on what is directly relevant and necessary to the settlement. I am

committed to meeting my obligations, but I will not entertain demands that are intended to harass or harm me.

Sincerely,

Jarrod Jones
Pro Se Litigant

On 8/23/2024 8:17 AM, Acerthorn wrote:

Are you going to reply to all of my other requests, besides the discord one?

On Thursday, August 22, 2024 at 11:02:03 AM CDT, Jarrod Jones <jarrod@stangranch.com> wrote:

I have said many times, you can go ahead and ask the court to order me to give you those details and you will ignore what else the court said and I repeat myself again and this will be the last time.

1.) You can ask me for information documentation for the purpose of proving my net worth, there is nothing in my discord DMs or messages that will prove that and I don't need to give it to you.

2.) In the case that we disagree you can file a motion and ask the court if they will order me to give this to you.

You have no right to know my private communication with friends, and loved ones and you have refused to explain how this would help you.

I will ignore any future emails about giving you my Discord messages both public and private unless I am ordered by the court to do so.

On 8/22/2024 8:50 AM, Acerthorn wrote:

You still haven't given me half the stuff I've asked you for.

Also, it says that it can apply to BUSINESSES! You are not a business!

On Thursday, August 22, 2024 at 10:44:57 AM CDT, Jarrod Jones <jarrod@stangranch.com> wrote:

You're more than welcome to file a motion.

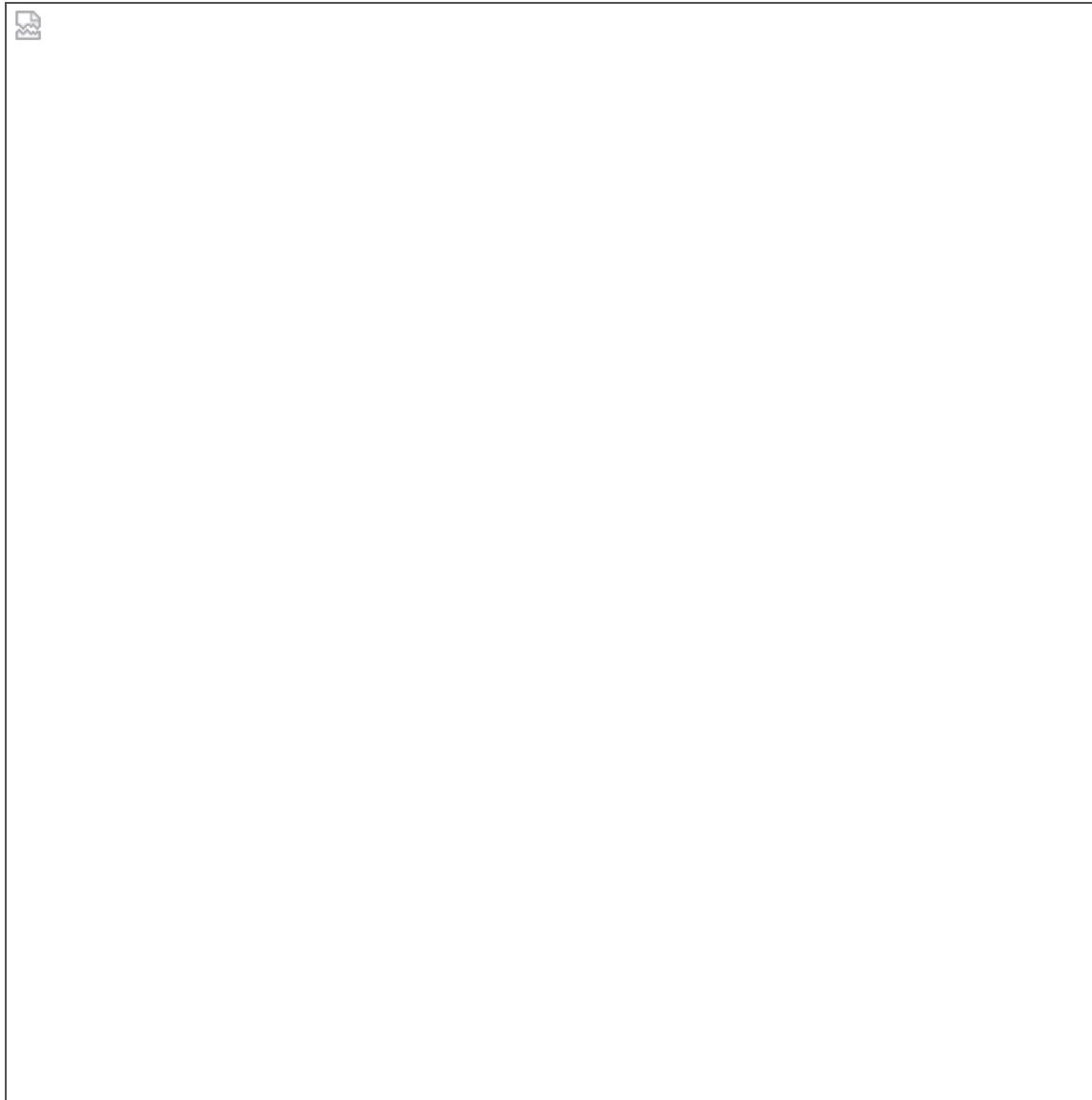
On 8/22/2024 8:37 AM, Acerthorn wrote:

"if I did share it would be in breach of EU Laws"

You're not in Europe, so you're not bound by that.

On Thursday, August 22, 2024 at 10:30:42 AM CDT, Jarrod Jones <jarrod@stangranch.com> wrote:

Bottom of Page 4 of the Civil Minutes - General entry from the court on August 21st.



You must explain why you need this information and why it is relevant to proving my net worth, and I am not required to give you any information that is out of scope of the settlement agreement. Whether related to my Discord DMs or not, because I assure you they're private messages between friends and I. Not your eyes as a third-party, and again if I did share it would be in breach of EU Laws, and the GDPR as most of my friends are located in Europe.

There is nothing in my DMs that related to or prove my net worth. If you disagree with this you can file with the court and see if they agree with you. If that is the case they will order me to give them to you, but only then will I comply with your request.

On 8/22/2024 7:55 AM, Acerthorn wrote:

"this is a GOOD FAITH exercise"

No, it's an objective reasonableness exercise.

On Thursday, August 22, 2024 at 09:30:19 AM CDT, Jarrod Jones <jarrod@stangranch.com> wrote:

I don't have the right to know? I believe that I do have the right to know, this is a GOOD FAITH exercise. Whether you believe that I am due it or not, but at the end of the day the court is the one who gets to decide and not you. You are just another party in the case. I have no idea

what's in your head that makes you think you have the reins and all of the power, but in good faith I want to know your reasoning, and if it is a fair reasoning I'll make a decision on that point.

This discovery portion is not part of a criminal case, nor is it about your ability to try to datamine my private accounts. It's about my ability to pay a certain level of damages or not; I will not consider your suggestion that I use third-party, Terms of Service breaking software to give you my private Discord messages or any Discord messages unless you tell me how it relates to my net worth.

I don't see any reason why my net worth has anything to do with MY Discord DMs as I believe that you're overreaching your standpoint and continuing to act in bad faith despite my actions so far that I've made in good faith.

On 8/22/2024 5:05 AM, Acerthorn wrote:

You don't have the right to know how it's relevant. Just like I said earlier with the discord server thing, if I have to explain to the court, it will be too late and you'll already be in contempt.

On Thursday, August 22, 2024 at 12:14:12 AM CDT, jarrod stangranch.com
jarrod@stangranch.com wrote:

I don't see how this helps you with proving my current net worth.

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From: Acerthorn acerthorn@yahoo.com
Sent: Wednesday, August 21, 2024 3:45:47 PM
To: jarrod stangranch.com jarrod@stangranch.com
Subject: Re: Requests for proof of net worth

So what was her full name?

On Wednesday, August 21, 2024 at 05:27:24 PM CDT, jarrod stangranch.com
jarrod@stangranch.com wrote:

I don't care for her for legal reasons.

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From: Acerthorn acerthorn@yahoo.com
Sent: Wednesday, August 21, 2024 2:43:25 PM
To: jarrod stangranch.com jarrod@stangranch.com
Subject: Re: Requests for proof of net worth

So your mom was your boss? In that case, how do you not know where she is or what happened to her?

On Wednesday, August 21, 2024 at 04:40:32 PM CDT, Jarrod Jones
jarrod@stangranch.com wrote:

I lived with my parent that lived in Eugene, Oregon.

Who was also my boss for Draven Investigations.

Your supposed information on my parentage is incorrect.

On 8/21/2024 2:03 PM, Acerthorn wrote:

So how did you live during that time if you were hardly ever paid? Eugene Oregon is a long way away from where your parents lived, so it's highly unlikely you lived with them.

On Wednesday, August 21, 2024 at 03:37:59 PM CDT, jarrod stangranch.com <jarrod@stangranch.com> wrote:

I am scared by you. Stop putting feelings in my head.

I am going to seek legal counsel before I comment further.

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From: Acerthorn <sacerthorn@yahoo.com>
Sent: Wednesday, August 21, 2024 1:32:41 PM
To: jarrod stangranch.com <jarrod@stangranch.com>
Subject: Re: Requests for proof of net worth

What do you mean? Can you give specific details?

Also you're not afraid of me and we both damn well know it. If you were, you wouldn't have challenged me to trial by combat.

On Wednesday, August 21, 2024 at 03:30:42 PM CDT, jarrod stangranch.com <jarrod@stangranch.com> wrote:

You know what, I wasn't in my right mind at all during those seven years because I was more afraid of my boss than I am afraid of you.

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From: Acerthorn <sacerthorn@yahoo.com>
Sent: Wednesday, August 21, 2024 1:18:51 PM
To: jarrod stangranch.com <jarrod@stangranch.com>
Subject: Re: Requests for proof of net worth

It is relevant, because it heavily implies that you're lying. You did in fact get paid because nobody in their right mind would stay for seven years at a job they weren't even being paid for.

On Wednesday, August 21, 2024 at 03:13:35 PM CDT, Jarrod Jones <jarrod@stangranch.com> wrote:

The answer is irrelevant to the settlement. I've explained enough.s

On 8/21/2024 1:04 PM, Acerthorn wrote:

Why would you stay there for seven years if you weren't consistently paid?

On Wednesday, August 21, 2024 at 02:59:55 PM CDT, Jarrod Jones <jarrod@stangranch.com> wrote:

I don't remember her name.

It was full-time, but it depended on the mood of my boss whether or not I got paid. Lots of illegal stuff went down, I still haven't been fully compensated for my time worked there, but frankly I don't care.

On 8/21/2024 12:55 PM, Acerthorn wrote:

What was her name?

Was it a full-time job?

On Wednesday, August 21, 2024 at 02:53:49 PM CDT, Jarrod Jones
jarrod@stangranch.com wrote:

She.

Administrative Assistant, kept Private Investigators stocked with supplies and maintained the client database.

I do not know her facebook or current contact information she fell off the face of the earth in 2019.

On 8/21/2024 12:51 PM, Acerthorn wrote:

Who was your boss at Draven Investigations? Does he have a facebook or an email account?

On Wednesday, August 21, 2024 at 02:33:56 PM CDT, Jarrod Jones
jarrod@stangranch.com wrote:

No.

Terra Staffing Group, 2022-2023, Temp Agency, No HR number.

Morris Magnets, August 2021 to September 2021, Monroe, WA, No HR line but Business line is: [\(360\) 863-8141](tel:(360)863-8141)

RMSI, July 2019 to August 2021, Snohomish, WA, Company no longer Exists. It is not RMSI Global based out of New Delhi.

Draven Investigations, Eugene, Oregon, January 2012 to June 2019, Company no longer Exists.

Flexasoft, Redmond, WA, Bellevue, WA. 2013-2014, [\(425\) 689-5402](tel:(425)689-5402)

UPS, Hiawatha, IA, 2013, 1 (800) 742-5877

Applebees, Cedar Rapids, IA, 2013 [\(319\) 393-9595](tel:(319)393-9595)

Volt, 2011 to 2012, Redmond, WA, (866) 898 0005

On 8/21/2024 12:17 PM, Acerthorn wrote:

Also ... is that literally the only employer you've had in the past twelve years?

On Wednesday, August 21, 2024 at 02:12:04 PM CDT, Jarrod Jones
jarrod@stangranch.com wrote: